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# SUMMARY-INDEX OF WEEK'S NEWS

## Broadcast



## Consumer Electronics



SENATE PASSES TV, RADIO MEASURES: In unusual parliamentary maneuver, Senate Commerce Committee took action on major communications bills by attaching them to routine report to Budget Committee. Action, which was unanimous, has same effect as if bills were formally reported from Committee. "This is not what budget reconciliation is all about," said critic on House side.

Bills affected include 3 which haven't gone beyond hearing stage in Committee: (1) S-601 calling for 5-year TV licensing, lottery for first licenses, end of comparative renewal procedures. (2) S-270 which calls for radio deregulation. (3) S-929 which would increase amateur radio license term and permit volunteer licensees to monitor signals for violations. Others already had been reported out of Committee: (1) CPB authorization measure, S-720. (2) S-821 authorizing FCC appropriations and requiring Commission to institute user fees. (3) S-271 which would permit Western Union to offer international telex service. Controversial measure has been focus of jurisdictional battle between Commerce and Judiciary Committees.

In addition, Committee made changes to bills in unorthodox session: (1) Lottery for first time TV & radio licenses has been made retroactive, can be used for all applications on file at Commission when law is enacted. (2) In radio bill, FCC authority in revocation proceedings has been expanded to include issuing cease & desist orders. Original bill would have given FCC power only to revoke or deny. Industry had urged additional "hand slapping" action as middle ground. (3) Deadline for FCC to take action after revocation hearing has been extended from 30 to 60 days.

Action came without warning. Committee had announced only that it was holding open budget reconciliation session. Committee leadership, including minority side, met privately night before, hammered out agreement. Reconciliation process, which was vehicle for surprise action, works like this: After Senate sets ceiling for overall federal budget, each Committee is given funding ceiling for agencies over which it has jurisdiction. Committee then must report to Senate Budget Committee changes needed to conform with ceilings (or "reconcile" earlier Committee budget recommendations with new ceiling).

Technically, measures no longer are bills, only provisions in report to Budget Committee used to show how money can be spent or saved — for example, FCC fee bill (S-821) is used to show $28 million savings next year. However, Budget Committee will take reports from all committees, turn them into one overall budget bill. Bottom line: Communications measures will be buried in huge bill. If passed by Senate, bill will go to House-Senate conference, made up of majority & minority leaders of every committee involved, making it extremely difficult for House to seek revisions. House version of FCC authorization-fee bill was passed on floor 2 days before Senate action. House CPB bill, which includes new formula for distributing money, is set for June 17 floor vote. Both could be circumvented by Senate move.

House passed FCC fee bill by 360-21 vote. Bill (HR-3239) also authorizes $77.3 million FCC appropriation, amount proposed by Administration, and places agency on one-year authorization. Action occurred after short debate during which bill was endorsed by Rep. Collins (R-Tex.), ranking minority member on House Telecommunications Subcommittee. During debate, Subcommittee Chmn. Wirth (D-Colo.) said he has "pledged quarterly hearings to review FCC activities." Said Collins: "This bill is more than a straight reauthorization. For good reason, several fundamental changes in FCC operations have been made... Our Subcommittee hearings disclosed that the FCC needs direction, needs guidance, needs legislation, and needs leadership from us in helping to establish program priorities." House also passed with Collins' endorsement HR-3240 authorizing $16.47 million for NTIA.

TV networks have declined to comment on Senate action, saying more study is needed. However, action clearly is favorable to industry, which long has sought similar provisions in TV license and radio deregulation bills. Although industry doesn't favor FCC fees, many industry lobbyists reportedly were willing to accept fee bill if other 2 bills were passed. Most upset by action were consumer groups which fought TV-radio bills. Saying it's "unfair" for Committee to take action without first warning public interest groups, NCCB Director Samuel Simon said: "By tying [measures] to budget matters, they are assuring that these measures will not be directly considered. They are seeking fundamental changes in the nation's communications laws that deserve separate consideration before the entire Senate."

Challenge from House side is almost certain; however, leadership has not yet determined what strategy to take. Problem: Senate Commerce Committee's action never has been taken before. Even Budget Committee reportedly is uncertain about propriety of action. House leaders probably will seek supporter in Senate to raise objection, which probably would be dealt with through parliamentary ruling on Senate floor.

FCC TO OK NETWORKS IN NON-AIRED PROGRAMMING: TV networks and RCA will breathe collective sigh of relief sometime tomorrow. Majority of members of FCC apparently will put aside their misgivings and approve CBS petition for declaratory ruling that network ownership of non-broadcast programming doesn't violate 1970 rule prohibiting networks from syndicating off-network product. Commission meets again on question June 16, after voting 3-2 last April to seek more information before acting (Vol. 21:15 p8).

...oadcasting industry, but ...en strongly opposed by con-...r groups that have argued the ...C needs to maintain tight control over the station operators to make sure they are serving the needs of their local communities.

Committee officials yesterday justified including these provisions in the reconciliation measure because they said that by reducing regulation, the committee is also managing to cut some $31 million from the FCC's budget because the FCC will not need as many people to supervise the broadcasting and telegraph industry so closely.

Additionally, they said, while the committee relaxed the rules, they also sharply boosted the fee station owners will have to pay for their licenses.

"Before we ask them to pay more, we should try to reduce regulation as far as possible," said William M. Diefenderfer III, committee's staff director.

"We're not rushing the bills through," Diefenderfer added, noting "we could have walked (the broadcasting bills) through the Senate" anytime.

The reason for putting them on ... legislation now, he said, was because "it saved a lot of money and was a tactical maneuver – it was one way to get our legislation considered."

New York Times, 6/11/81, p. A16

## TV Executives Oppose Curb on Vote Projections

WASHINGTON, June 10 (UPI) — News executives of the three major television networks today strongly opposed any at-...pt by Congress to limit their right to ...ject election winners before all polls in the country have closed.

The heads of ABC News, CBS News and ... News agreed that there was no ...g evidence that projections of Presidential election winners, based on returns from the eastern half of the nation, affected the outcome of Congressional and local elections or reduced voter turnout in the West.

Testifying at a joint hearing of the House Administration Committee and the Subcommittee on Telecommunications, Consumer Protection and Finance, they said that attempts to regulate network projections would violate their First Amendment right of freedom of speech.

"We cannot patronize our audience by withholding from them what we know," said William Leonard, president of CBS News.

Washington Post, 6/11/81, p. A38

## Medical Rescue Flight Delayed for TV Coverage

By Al Senia
Special to The Washington Post

PHOENIX, June 10 — A decision last week to delay the flight of a medical rescue team to accommodate a television news crew has led to the firing of a health professional, the threat of a lawsuit and a barrage of nasty accusations and countercharges.

Three producers and a news correspondent from ABC-TV's "20-20" show arrived here to research and film a story on emergency infant care in Arizona.

They focused on the Air Evac rescue program, an air ambulance service operated by Samaritan Health Service of Phoenix and a local hospital. Air Evac uses chartered aircraft and a team of physicians to respond to patients in remote areas who need prompt medical attention and possible quick transportation to hospitals. One element of the service deals exclusively with newborn infants.

ABC saw the possibility of some dramatic footage in accompanying doctors flying to treat babies in outback parts of Arizona.

But its crew became the center of controversy June 2, when several Air Evac officials delayed for an hour the departure of an emergency flight from Phoenix to Douglas, a mining town with a population of 12,000 near the Mexican border, so that a larger plane could be outfitted for the television producers and cameramen.

An infant in Douglas suffering from "respiratory distress" was waiting to be flown to a hospital in Tucson. The child's life apparently was not in danger.

When the TV crew failed to show up at the airport in Phoenix, the Air Evac plane took off. The ABC personnel followed later on another aircraft.

The Arizona Republic played the story on its front page, leading to an investigation by Samaritan Health Service and the suspension of Tom Sweeney, director of the Air Evac program.

Samaritan President Stephen Morris said Sweeney was fired because, as director of Air Evac, "the responsibility was on his shoulders."

Sweeney claims he is "a sacrificial lamb." He said lower level officials made the decision to delay the plane's departure, and that he found out about it later. Sweeney has threatened to sue Samaritan unless he is reinstated and receives a public apology.

Alan Raymond, director of news information for ABC, said today that any inference that the network was responsible for the flight delay was false. "Our people called and chartered a flight . . . after the other plane had taken off," Raymond said. "Our intention was to follow the [Air Evac] plane . . . not be on [it]. They did not request any delay. They didn't know of any delay."